

Attorney Docket No. 033082 M 336

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re the application of: | |) CONFIRMATION NO.: 8859 | |
|---------------------------|-------------------------|--------------------------|--------------------------------------|
| | Yasuo KOBAYASHI, et al. |) | · |
| U.S. S | erial No.: 10/585,994 |) | Group Art Unit: 2823 |
| Filed: | July 13, 2006 |) | Examiner: Kevin A. Parendo |
| For: | MANUFACTURING METHOD C | F SEMI | CONDUCTOR DEVICE AND FILM DEPOSITION |

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SYSTEM

Sir:

A response to the Office Action mailed September 25, 2008 is due by October 25, 2008. The Action required restriction between two patentably distinct inventions.

Applicants hereby elect without traverse <u>Group I of claims 1-8</u>, drawn to a manufacturing method of a semiconductor device, for examination in this application.

Applicants reserve the right to file divisional application(s) for the non-elected claims in due course. It is submitted that this application now is in condition for examination on the merits and early action in that regard is solicited.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

Michael A. Makuch – Registration No. 32,263 1130 Connecticut Avenue, NW, Suite 1130

Washington, D.C. 20036

Tel: 202 263 4300 Fax: 202 263 4329

Date: October 16, 2008